REMARKS/ARGUMENTS

Applicant has received the Office Action dated October 6, 2009, in which the Examiner rejected claims 1-38 under 35 U.S.C. 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Pub. No. 2003/0033328 ("*Cha*") in view of U.S. Pub. No. 2002/0095308 ("*Pragelas*"). With this Response, Applicant has amended claims 1, 9, 17, 21 and 24. Based on the amendments and arguments contained herein, Applicant respectfully requests reconsideration and allowance of the pending claims.

I.   REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner rejected claims 1-38 as being unpatentable over *Cha* in view of *Pragelas*. Amended claim 1, in part, requires "assigning a unique identifier to the record stored at the record collection site" and "entering the unique identifier in a hierarchical tree structure stored in a computer readable storage medium at the record collection site, wherein the unique identifier comprises information for accessing the record in the memory location, and wherein the tree structure comprises a plurality of branches connected by nodes." Claim 1 further requires "sending the hierarchical tree structure to a central storage site that is separate from the record collection site" and "receiving requests from the central storage cite to access records at the record collection site in accordance with the hierarchical tree structure sent to the central storage site." The Examiner cites *Cha* as teaching the claimed "hierarchical tree structure" limitations. See Office Action dated 10/06/09, page 3, item 5. However, *Cha's* technique relates to a cache index trees that implement a control scheme to ensure consistent cache indexing in a multi-processor environment. As described in *Cha*, the control scheme prevents inconsistencies that sometimes occur when a database is being accessed and updated at the same time. See paragraphs [0018] and [0037]. *Cha* does not send its index tree to a separate entity as occurs for Applicant's claimed "hierarchical tree structure." Further, *Cha's* index tree does store a unique identifier for accessing a record

corresponding to a transaction order as in claim 1. The Examiner at least recognizes that *Cha* does not teach "receiving an order for a transaction at a record collection site" and relies on *Pragelas* to support the obviousness rejection. See Office Action dated 10/06/09, page 4. Although *Pragelas* mentions a database with transaction information (see paragraph [0042]), *Pragelas* does not overcome the deficiencies of *Cha* with regard to the claimed "hierarchical tree structure" limitations. None of the references, considered individually or together, teach or suggest "sending the hierarchical tree structure to a central storage site that is separate from the record collection site" and "receiving requests from the central storage cite to access records at the record collection site in accordance with the hierarchical tree structure sent to the central storage site" as in claim 1. For at least these reasons, claim 1 and its dependent claims are allowable over *Cha* and *Pragelas*.

Claim 2 depends from claim 1 and is allowable for the same reasons as given for claim 1. In addition, claim 2 requires "using the unique identifier to produce an aggregate report of records collected by the record collection site" and "sending the aggregate report to the central storage site." The Examiner cites *Cha* at Fig. 1, c1-c4 as teaching the above limitations of claim 2. See Final Office Action dated 10/06/09, page 5, item 6. However, *Cha's* Fig. 1 and related text (paragraphs [0033] and [0034]) do not teach or suggest "an aggregate report of records" and much less producing "an aggregate report of records collected by the record collection site" and "sending the aggregate report to the central storage site" as is required in claim 2. *Pragelas* is likewise deficient. Due to the deficiencies of *Cha* and *Pragelas*, the Examiner has failed to clearly and explicitly articulate the reason(s) why claim 2 would have been obvious. For at least these additional reasons, claim 2 is allowable over *Cha* and *Pragelas*.

Claim 6 depends from claims 1 and 2, and is allowable for the same reasons as given for claims 1 and 2. In addition, claim 6 requires that "using the

unique identifier to produce the aggregate report includes counting the unique identifier with a second unique identifier assigned to a second record stored at the record collection site." The Examiner cites *Cha* at Figs. 1-4 as teaching the above limitations of claim 2. See Final Office Action dated 10/06/09, page 6, item 10. However, Figs. 1-4 of *Cha* and related text (paragraphs [0033] - [0039]) do not teach or suggest the above limitations. Instead, Figs. 1-4 of *Cha* describe a database management system (DBMS) where a control scheme is used with a cache index tree to ensure consistent cache indexing in a multi-processor environment. *Pragelas* is likewise deficient. Due to the deficiencies of *Cha* and *Pragelas*, the Examiner has failed to clearly and explicitly articulate the reason(s) why claim 6 would have been obvious. For at least these additional reasons, claim 6 is allowable over *Cha* and *Pragelas*.

Claim 7 depends from claims 1 and 2, and is allowable for the same reasons as given for claims 1 and 2. In addition, claim 7 requires that "using the unique identifier to produce an aggregate report includes summing data included in the record accessed by the unique identifier with data included in a second record accessed by a second unique identifier." The Examiner cites *Cha* at Fig. 1 as teaching the limitations of claim 7. See Final Office Action dated 10/06/09, page 7, item 11. Fig. 1 of *Cha* and related text (paragraphs [0033] - [0039]) do not even teach or suggest "an aggregate report" and much less "[producing] an aggregate report includes summing data included in the record accessed by the unique identifier with data included in a second record accessed by a second unique identifier" as in claim 7. *Pragelas* is likewise deficient. Due to the deficiencies of *Cha* and *Pragelas*, the Examiner has failed to clearly and explicitly articulate the reason(s) why claim 7 would have been obvious. For at least these additional reasons, claim 7 is allowable over *Cha* and *Pragelas*.

Amended claim 9, in part, requires instruction that causes a processor to "send an aggregate report of record type counts at the record collection site

based on the unique identifiers in the hierarchical tree structure, the aggregate report being sent to a central storage site that is separate from the record collection site." The cited references do not teach the "hierarchical tree structure" limitations of claim 9. As previously discussed, *Cha's* index and control scheme prevents inconsistencies that sometimes occur when a database is being accessed and updated at the same time. See paragraphs [0018] and [0037]. There is no sending of an aggregate report based on unique identifiers in a hierarchical tree structure in the cited art. For at least these reasons, claim 9 and its dependent claims are allowable over *Cha* and *Pragelas*.

Claim 10 depends from claim 9 and is allowable for the same reasons as given for claim 9. In addition, claim 10 is allowable for much the same reasons as given for claim 2.

Claims 14 and 15 depend from claims 9 and 10, and are allowable for the same reasons as given for claims 9 and 10. In addition, claims 14 and 15 are respectively allowable for much the same reasons as given for claims 6 and 7.

Claim 17, in part, requires "sending the hierarchical tree structure to a central storage site that is separate from the record collection site" and "receiving requests from the central storage cite to access records at the record collection site in accordance with the hierarchical tree structure sent to the central storage site." For much the same reasons as given for claim 1, *Cha* and *Pragelas* do not teach or suggest the "hierarchical tree structure" limitations of claim 17. For at least these reasons, claim 17 and its dependent claims are allowable over *Cha* and *Pragelas*.

Claim 19 depends from claim 17 and is allowable for the same reasons as given for claim 17. In addition, claim 19 is allowable for much the same reasons as given for claim 2.

Claim 21, in part, requires "sending the hierarchical tree structure to a central storage site that is separate from the record collection site to enable the central storage site to access the record corresponding to the unique identifier in

the hierarchical tree structure" and is allowable for much the same reasons as for claim 1. For at least these reasons, claim 21 and its dependent claims are allowable over *Cha* and *Pragelas*.

Claim 22 depends from claim 21 and is allowable for the same reasons as given for claim 21. In addition, claim 22 is allowable for much the same reasons as given for claim 2.

Claim 24, in part, requires "a central storage site remote from the record collection site, the central storage site includes a computer system comprising logic instructions recorded on a computer readable storage medium which, when executed on computer system, cause the computer system to receive the hierarchical tree structure from the record collection site and to selectively access the record being stored in the record collection site using the unique identifier" and is allowable for much the same reasons as for claim 1. For at least these reasons, claim 24 and its dependent claims are allowable over *Cha* and *Pragelas*.

Claim 25 depends from claim 24 and is allowable for the same reasons as given for claim 24. In addition, claim 25 is allowable for much the same reasons as given for claim 2.

II.   CONCLUSION

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees

are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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